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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/094,539	06/12/1998	RICHARD C. MACHIN	13768.73	8493

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EXAMINER	
ANYA, CHARLES E	

ART UNIT	PAPER NUMBER
2126	20

DATE MAILED: 11/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No.	Applicant(s)	
	09/094,539	MACHIN ET AL.	
	Examiner	Art Unit	
	Charles E Anya	2126	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3/ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 September 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-13* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-13* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 4, 7, 10 and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by applicant's admitted prior art (Hereinafter referred to as APA pages 2 – 11).

As to claim 1, APA teaches an Application (Upper Layers of Code, Application 66 page 9 lines 1 – 6, Application 78 page 10 lines 10 – 18), an Underlying Connection-Oriented Device (Connection-Oriented Hardware 52 page 9 lines 18 – 26, Connection-Oriented Hardware 92 page 10 lines 22 – 26), Known Application-Level Interfaces (Figure 2 IC Interfaces 44 and 48, System Resource Interface 40, Registry Interface 38, Transport Interface, Device Driver Interface page 6 lines 19 – 26, page 7 lines 1 – 24, Connection Interface 72, Connection-Oriented Data Transport 62, TAPI 84, WIN32 80, Connection I/F 106, Connection-Oriented Data Transport 100 pages 8 – 11), a

Connection-Oriented I/O Subsystem (see figures 2 - 4), an Integration Component (Integration Component 36 page 6 lines 19 – 26, page 7 lines 1 – 24, Integration Component 58 page 8 lines 20 – 26, Integration Component 96 page 10 lines 22 – 26), a First Known Application-level Interface (Connection Interface 72 page 9 lines 12 – 17), Connection-Oriented Device Driver (Figures 2 – 4 Connection-Oriented Device Driver 54), a Second Known Application-Level Interface (Connection-Oriented Data Transport 62 page 9 lines 1 – 8, page 10 lines 25 – 26 and page 11 lines 1 – 2), the step of receiving a command from the application over the first known application-level interface by the integration component (Connection Interface 72 page 9 lines 12 – 17, WIN32 API 80 page 10 lines 15 – 18),the step of receiving a command from the application over the second known application-level interface by the integration component (Connection-Oriented Data Transport 62 page 8 lines 25 – 26, pages 9 lines 1 – 8, page 10 lines 25 – 26 and page 11 lines 1 – 2) and interacting with the integration component (Figures 2 – 4).

As to claim 4, see the rejection of claim 1.

As to claim 7, see the rejection of claim 1.

As to claim 10, claim 1 meets claim 7 except for the step of separating connection control characteristics from data and data control characteristics. APA teaches for the step of separating connection control characteristics from data and data control characteristics (By providing a connection interface and connection-oriented data transport their functions/characteristics are separated).

As to claim 13, see the rejection of claim 10.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 2, 3, 5, 6, 8, 9, 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's admitted prior art (hereinafter referred to as APA pages 2 – 11) in view of U.S. Pat. No. 5,812,784 to Watson et al.

As to claim 5, claim 1 covers claim 5 except a proxy client component for receiving abstract connection creation, control commands, creating and managing the connection, redirecting data and data control information through the proxy client component to a designated data transport and returning to the application an identifier for receiving data and data control information.

Watson teaches a proxy client component for receiving abstract connection creation, control commands, creating and managing the connection, redirecting data and data control information through the proxy client component to a designated data transport and returning to the application an identifier for receiving data and data control information (Redirector 22 Col. 3 Ln. 46 – 56, Col. 4 Ln. 5 – 9, Col. 5 Ln. 59 – 62, Col. 6 Ln. 13 – 16, Col. 6 Ln. 44 – 67, Col. 7 Ln. 34 – 67). It would have been obvious to apply

the teaching of Watson to the system of APA. One would have been motivated to make such modifications to facilitate the creation, control and maintenance of connections between client applications/computer and network server (Col. 6 Ln. 44 – 50).

As to claim 2, claim 5 meets claim 2 except for an integrating component that has a connection interface and making connections (Integrating Component 58 page 9 lines 12 – 17), a Data Transport Interface (Figure 2 Transport Interface), a Data transport Component (Connection-Oriented Data Transport 62 page 8 lines 25 – 26, pages 9 lines 1 – 8, page 10 lines 25 – 26 and page 11 lines 1 – 2), the data transport components interacting with applications and data transport interface (Figure 2, Communication Arrow 68 and 104 of figure 3 and 4) and sending instructions for directing data and data control information (Communication Arrow 64 page 8 lines 24 – 26, Communication Arrow 102 page 10 lines 25 – 26 and page 11 lines 1 – 2).

As to claim 3, APA teaches a Connection Manager Interface (Connection Interface 72 page 9 lines 12 – 17, Connection I/F 106 page 10 lines 6 – 14), a Connection Manager Component (Component Management 76 page 9 lines 18 – 26, Component Management 110 page 11 lines 6 – 14) and registering and redirection command that specify data types are not taught by APA, however since the system is implemented in object-oriented language and the registering and redirection commands are method calls they would inherently include parameters of some kind of data type.

As to claim 6, see the rejection of claim 5.

As to claim 8, see the rejection of claim 5.

As to claim 9, see the rejection of claim 5.

As to claim 11, see the rejection of claim 2.

As to claim 12, see the rejection of claim 3.

Response to Arguments

5. Applicant's arguments filed 9/02/03 have been fully considered but they are not persuasive.

Applicant argues that the admitted prior art (APA) does not disclose an abstracted connection interface for communicating the connection control characteristics of an underlying connection-oriented device to an application. Applicant's admission that APA discloses an abstraction interface (page 6 lines 19 – 22) nullifies any argument of APA not providing an abstracted connection interface for communicating the connection control characteristics of an underlying connection-oriented device to an application because by providing an abstraction interface the communication of connection characteristics between the connection-oriented device and an application via the network card device drivers and transport protocol drivers is achieved.

Applicant also argues that the connection oriented data transport 62 and 100 are not interfaces, in contrast to Examiner's rejection.
Although this may be the case APA has provision for a second known application-level interface for receiving commands from application by the integrating component. As page 7 lines 2 – 4 shows Interface 48 provides such an interface to the Integrating Component 36.

Applicant's arguments with respect to claim 5 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E Anya whose telephone number is (703) 305-3411. The examiner can normally be reached on M-F (8:30-5:30) First Friday off.

The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Charles E Anya
Examiner
Art Unit 2126

JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100